


<b>Application Number</b> 	<b>Application/Control No.</b> 09/814,642	<b>Applicant(s)/Patent under Reexamination</b> O'HARE ET AL.	
<b>Document Code - DISQ</b>		<b>Internal Document – DO NOT MAIL</b>	

<b>TERMINAL DISCLAIMER</b>	<input checked="checked" type="checkbox"/> <b>APPROVED</b>	<input type="checkbox"/> <b>DISAPPROVED</b>
Date Filed : April 12, 2006	This patent is subject to a Terminal Disclaimer	

<b>Approved/Disapproved by:</b>
Henry D. Jefferson



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of  
Jeremy J. O'HARE et al.

Application No.: 09/814,642

Filed: March 22, 2001

For: MULTIPATH MULTIHOP REMOTE  
DATA FACILITY

Art Unit: 2667

Examiner: Christopher P. Grey

Docket No.: EMS-01501

**TERMINAL DISCLAIMER**

Commissioner for Patents  
Alexandria, VA 22313-1450

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Sir:

Petitioner, EMC Corporation, owner of 100% of the above-referenced application by virtue of an Assignment from the inventors recorded at reel 010890, frame 0847, hereby disclaims, except as provided below, the terminal part of any patent granted on the above-captioned application, which would extend beyond the expiration date of U.S. Patent No. 6,697,367 issued on February 24, 2004, (hereinafter, "the Other Patent"). Petitioner hereby agrees that any patent so granted on the above-captioned application shall be enforceable only for and during such period that it and the Other Patent are commonly owned. This agreement runs with any patent granted on the above-captioned application and is binding upon the grantee, its successors, or assigns.

Petitioner does not disclaim any terminal part of any patent granted on the above-identified application prior to the expiration date of the full statutory term of the Other Patent in the event that the Other Patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321(a), has all claims cancelled by a reexamination certificate, or is otherwise terminated prior to the expiration of its statutory term, except for the separation of legal title stated above.

Respectfully submitted,  
Muirhead and Saturnelli, LLC

  
Annie E. Saturnelli  
Registration No. 41,290

Date: April 12, 2006

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Jeremy J. O'Hare, et al.,	:	
Serial No.:	09/814,642	:	Examiner: Christopher GREY
Filed:	March 22, 2001	:	Art Unit: 2667
For:	MULTIPATH MULTI HOP REMOTE DATA FACILITY	:	Atty. Docket: EMS-01501

**Certificate of Facsimile Transmission**

I hereby certify that the foregoing document is being sent via facsimile to Examiner Christopher Grey, at 571-273-8300, on April 12, 2006.

  
\_\_\_\_\_  
Anne E. Saturnelli

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Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Attached is a Terminal Disclaimer for the above-referenced application. Please charge the required fee of \$130 to our Deposit Account No. 050889.

In addition, please direct all telephone calls for this application to Anne E. Saturnelli at 508-898-8604.

Respectfully submitted,  
MUIRHEAD AND SATURNELLI, LLC

April 12, 2006  
Date

  
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Examiner Christopher Grey	USPTO-Art Unit 2667	571-273-8300

<b>FROM</b>	<b>DATE</b>	<b>TOTAL NUMBER OF PAGES INCLUDING THIS PAGE</b>
Anne E. Saturnelli	April 12, 2006	3

**Comments:**

For U.S. Application Serial No. 09/814,642. PLEASE CHARGE REQUIRED FEE OF \$130 TO DEPOSIT ACCOUNT NO. 050889. Thank you.

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